

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
SANDRA SANON, *individually and on behalf of all* :
other persons similarly situated, :

Plaintiff, :

22-CV-10583 (JMF)

-v- :

ORDER

KIDZ DISCOVERY INC., et al., :

Defendants. :
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JESSE M. FURMAN, United States District Judge:


On February 6, 2023, Plaintiff filed proof on the docket that Defendant Kidz Discovery Inc. was served on January 23, 2023. *See* ECF No. 10. Defendant Kidz Discovery Inc. missed the deadline to file an answer or otherwise respond to the complaint, and this Court set a briefing schedule for a motion for default judgment. *See* ECF No. 11.

Plaintiff then requested, and the Court granted, an extension of time to May 12, 2023, to file a default judgment motion. *See* ECF Nos. 16 and 17. On March 14, 2023, Deanna Malachi filed a *pro se* notice of appearance. *See* ECF No. 20. That same day, Ms. Malachi filed an answer on behalf of herself and purportedly on behalf of Defendant Kidz Discovery Inc. A corporate entity, however, may appear in federal court only through counsel. *See Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007). Accordingly, the Court deems the answer Ms. Malachi to be filed to be *only* on her behalf — and not on behalf of Kidz Discovery Inc. In light of that, Kidz Discovery Inc. remains in default — and the May 12, 2023 deadline to file a motion for default judgment remains in effect as to Kidz Discovery Inc. If counsel for Kidz Discovery Inc. enters a notice of appearance before that date, counsel should confer with Plaintiff and may seek an extension *nunc pro tunc* of the deadline to file an answer.

Plaintiff is ordered to serve a copy of this Order on Ms. Malachi by **March 17, 2023**, and to file proof of service on the docket by **March 20, 2023**.

SO ORDERED.

Dated: March 15, 2023
New York, New York



JESSE M. FURMAN
United States District Judge